# Reinventing How You Practice:

Less Stress, More Vibrancy, and an Understanding of Compassion Fatigue in the Legal Profession

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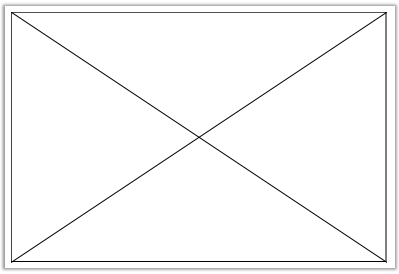
To navigate the screens click on the play ▶, back ◀, and next ▶ buttons below.

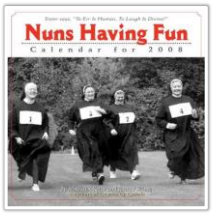
## Training Objectives

- Gain an understanding of what compassion fatigue is
- Understand the signs and symptoms
- Understand the contributing factors
- Understand best practices for prevention and mitigation of compassion fatigue

Click here for video



## Lawyers are Human Beings




## Fill in the blanks…

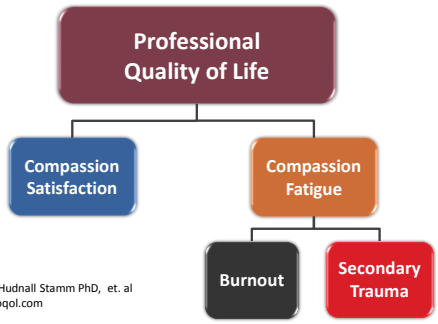
- The world is a _____ place.
- Life is _____.
- I am _____ as a human being.
- I want to change _____ about my job.
- I want to change _____ about myself.
- Most often I feel _____.

## Compassion Fatigue Defined

- The cumulative physical/ emotional/psychological effects of continual exposure to traumatic or distressing stories/events
- When working in a helping capacity
- Where demands outweigh resources

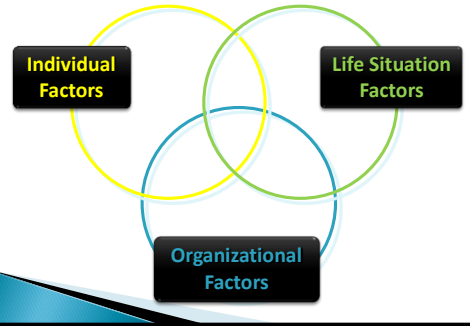
## Doing…

- Too much
- For too long
- With too few resources
- And working with the big uglies in life



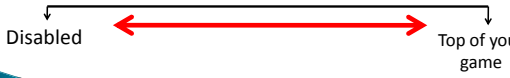

By Beth Hudnall Stamm PhD, et. al
www.proqol.com

## Factors that Influence a Person's Vulnerability to Compassion Fatigue

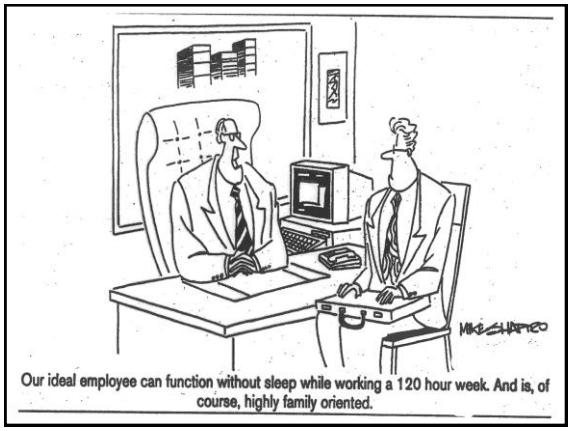



## Compassion Fatigue Advisory...

- Any person regardless of race, gender, ethnicity, age, occupation…. develop this condition
- Doesn't imply weakness, just "human-ness"
- Is more about "dis-ease" than disease.




## Typical Attorney Workload

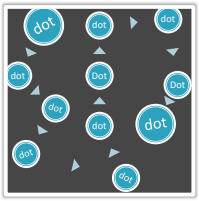



## Workload: Look & Feel Familiar?

Statistically significant correlation with CF

## Individual Vulnerabilities and Life Situations

- History of or current trauma
- Health problems
- Alcohol or drug use/troubles
- Poor job performance
- Depression or anxiety
- Generic life problems-
  - Spouse/partner,
  - Children,
  - Parents
  - Finances



## Organizational Stressors

- Unrealistic expectations
- Unrecognized accomplishments
- Budget cuts
- Eliminating positions
- Performing multiple jobs
- Personalities and politics
- Intense competition (within and without)

## Client Expectations/Stressors

- Unrealistic
- Want it now
- Unhappy, sad, mad, frustrated
- Stress from the pressure
- Stress from the difficult material being reviewed and the workload yet expected to appear and be completely unaffected by it (i.e. not be human)

## Competitive nature of stress

## Lawyering ~ an At Risk Profession Seems to Imply that it is hard.

- 1990 Johns Hopkins study ranked lawyers first in experiencing depression
- job dissatisfaction data doubled from 1984 data
- 44% of lawyers feel they don't have enough time with families
- 54 % feel they don't have enough time for themselves
- Studies show higher incidence of MI and Alcohol and other Drug problems compared to the general population

## Balancing Act for Lawyers

- Pessimism works in the professional world but not in the interpersonal world

## Symptoms Reported

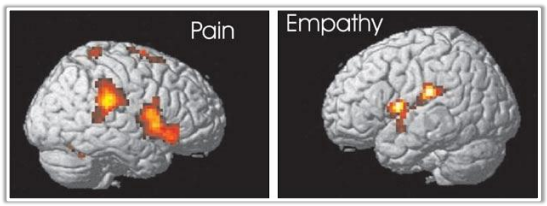
- Intrusive thoughts
- Anger/anxiety/fear
- Sleep disturbance
- Fatigue
- Loss of Appetite
- Loss of empathy
- Loss of faith in humanity
- Sense of isolation from others
- Physical complaints

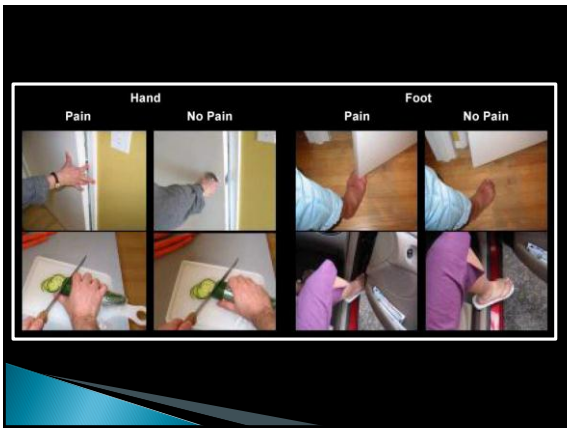
- Source: Vrklevksi et sl. (2008) and Levin et al. (2003) and Jaffe et al. (2006)

## Role of Mirror Neurons in the Brain

## Empathy

- Experience the experiences of someone else (Shane, 2008)
- Enduring those same experiences and emotions (Lydialyle Gibson)
- Empathy is involuntary: a shared emotion- this is hardwired into the brain (L. Gibson)
- Human beings who spend time with other human beings who are empathetic tend to feel better



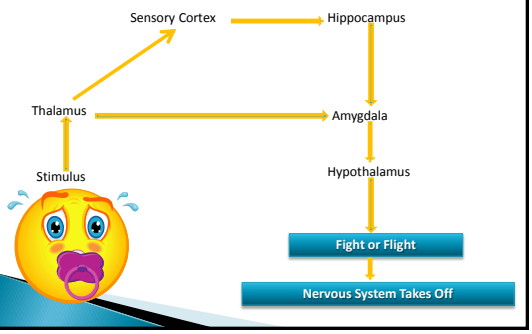




## Brain Chemistry

- Reptilian Brain (instincts)
- Limbic Brain (emotion, memory)
- Frontal Lobe (reason)

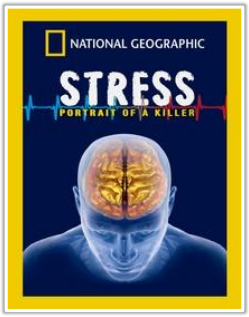
- These work together, while we think, something else is going on.

## The Fight or Flight Response




## Stress: Portrait of a Killer

This movie sheds wonderful insight into the propagation of illness in today's society via the inner workings of the human stress response.




## Impact on Primary Assumptions

- The World is Benevolent
- The World is Meaningful
- The Self is Worthy

Source: Bulman, Shattered Assumptions

## Impact of Continual Exposure…

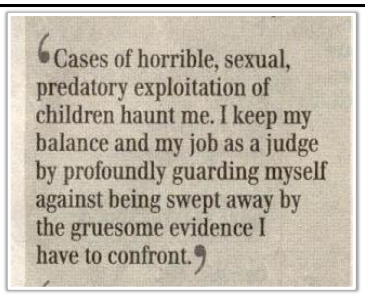
- Shattered assumptions about basic beliefs in our world for safety, security, trust, justice
- The world is not a good place, there is no meaning; pessimism, depression, irritability, sickness
- Heightened awareness of vulnerability and the fragility of life-increased anxiety/anger/…

## One Attorney Says…

"I think this happens to everyone whether they admit or not or show it or not. It is inevitable with that kind of caseload that one will at least at times go bonkers. This wears on all of us and on some of us more than others. We see colleagues severely affected all the time. I think the practice leaves scars. Some make it better than others, obviously, but everyone suffers… "

--criminal lawyer

Source: WisLAP Program permission granted



*Zimmerman, (2002). Trauma and Judges. Canadian Bar Association Annual Meeting*

## Impact on Lawyers

- Powerlessness
  - Indecisive/Anxious
- Alienate from others

## Fill in the blanks

- The world is a _____ place.
- Life is _____.
- I am _____ as a human being.
- I want to change _____ about my job.
- I want to change _____ about myself.
- Most often I feel _____.

## So slow, is it even moving?

## That which is to give light must endure burning…..

Rather Slow and Insidious….
then increases…
then overwhelming…..

**Burning**

**Uncomfortable**

**Overwhelming**

Victor Frankl

## So What Happens?

**We Crash!**

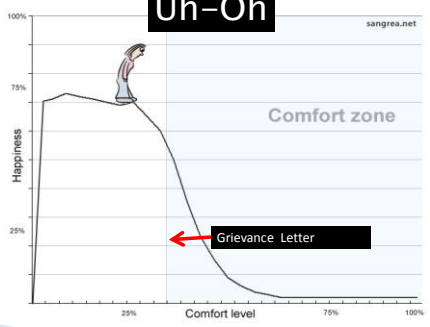
## Visible Results

- Strong correlation with what is known as “Disruptive Behavior”
  - Intimidation, Anger and Lashing Out
    - At opposing counsel
    - At support staff
    - At associates
- “Kick the dog” syndrome
- Spouse/partner and kids take the brunt of the frustration
- Enter the grievance and discipline process

## Most common client complaints & grievance notices

- Lack of communication
- Apathy (improper advocacy)
- Lack of Diligence
- i.e. "I just don't care anymore."

## Uh-Oh




## The Two Big Uglies

Workload/Hours

Trauma Exposure

## Who most at risk?

- Criminal or family law attorneys/judges
- High caseloads; long work hours
- High % exposure to graphic evidence, 911 tapes, photos, videotapes, victim impact statements
- Serving clients who have high levels of distress
- Little if any education on the subject of CF
- Little support from peers-isolation

## There is Hope for all of us…

## Mitigating Compassion Fatigue for Lawyers

- Individual
- Professional
- Societal

- Awareness, Balance and Connection (Jaffe, et al.)

Insuring fitness to practice…..

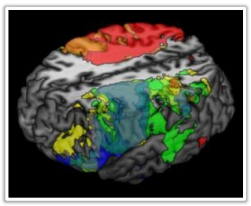
## The things that cause the things that cause the things…..

## Organizational Contributions to Compassion Fatigue

- Heavy caseloads-Long Hours
- Inefficient administration
- Excessive paperwork
- Inadequate resources to meet the demands
- Lack of supportive supervision

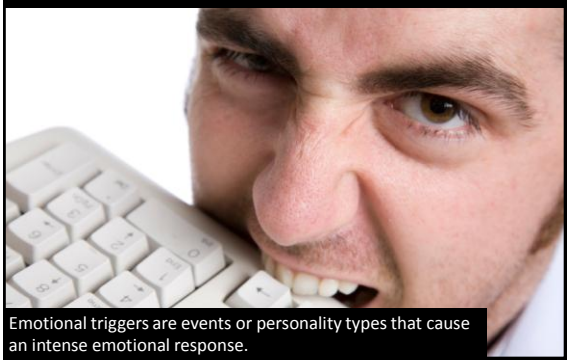
- Source: Levin et al. (2003), Osofsky et al. (2008)

## Talking and Connections Help the Brain



What Individuals Can Do

## Understanding Triggers



Emotional triggers are events or personality types that cause an intense emotional response.

## Understanding Triggers

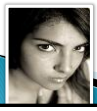
- Different for each one of us
- Examples:
  - Double Bind
  - Abuse of vulnerable populations
  - Disrespect from colleagues/judges/clients/people
  - Unfair, unjust realities of life and the system
  - The line at your door

## Understanding Triggers

- What are yours?

## Typical Responses to Triggers

- Anger,
- Depression, withdawal
- Anxiety; work harder
- Stop caring, looks like burnout but is really a defense mechanism
- Physical complaints, headaches, stomach problems, back pain, fatigue
- Coping mechanisms that hurt more than help



## Research-based suggestions for improving mood, increasing life satisfaction and mitigating stress

- Recognize the **risks** for yourself
- Find a way to **debrief** distressing material
- Work on **self awareness** every day
- Take an **inventory** of how balanced your life is-be intentional about balancing it out
- **Evaluate** your tension reducing behaviors
- Be **intentional** about **protecting** yourself

## How Many are You Spinning?…

## Becoming Happier

- Spin fewer plates: Squeeze in less.

## Becoming Happier

- It is the obvious:

Sleep
Exercise
Eat

## Becoming Happier

- Don't deny negative emotions [fear, sadness, anxiety] – move toward them and accept them.
- Identify and speak with a close person (or people) who you trust to share your internal experience.

## Becoming Happier

- It is not state of status or bank account – "state of mind" is what matters most.
- While we may be paid well, **money does not trigger the mirror neuron stimulus we (all humans) need to translate into better emotional health** in our bodies and psyches.
- What do you do at the end of the day to transition out of work? If nothing, admit that. Then change it.

## Becoming Happier

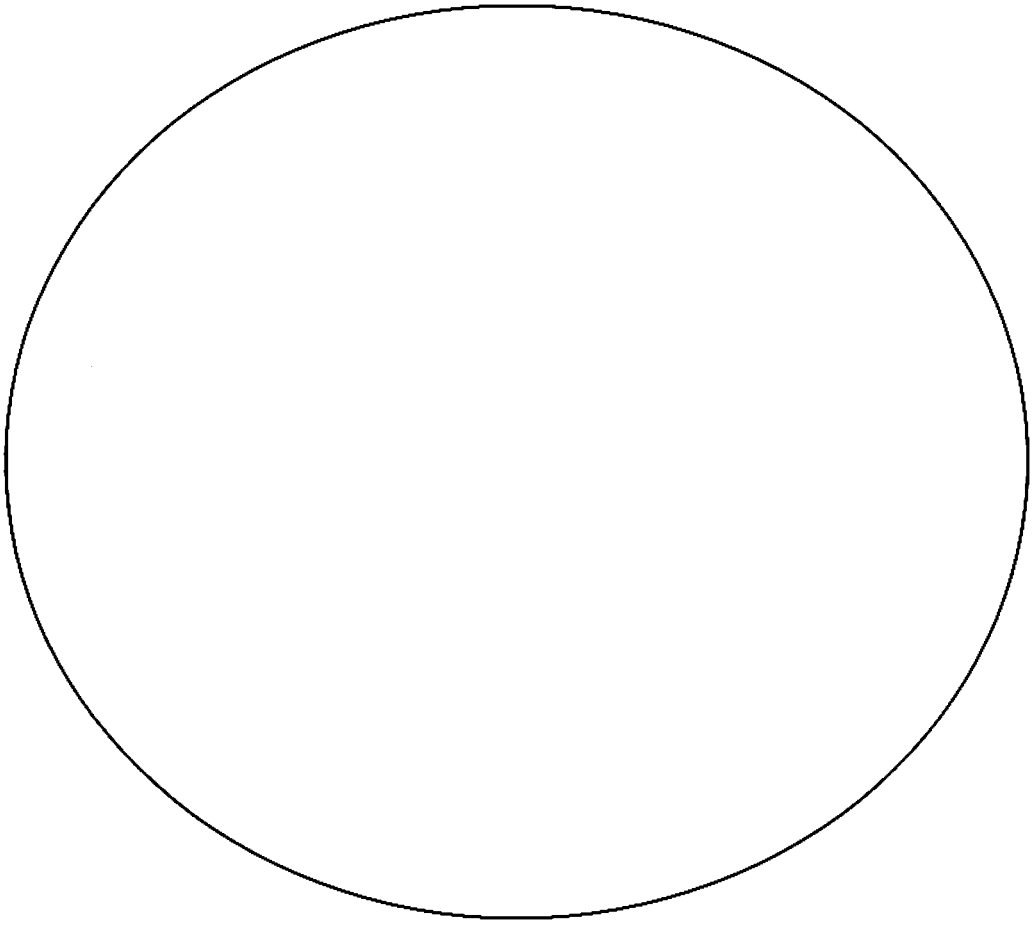
- Intersect pleasure and meaning → interests are central.
- Express Gratitude
- Try making a gratitude list every morning of 3 things you are grateful for. Do it for a few months and see what you notice. It will change your life.

Adapted from T. Ben-Shahar

## Express Gratitude

To improve this online training – and others – we need your feedback. Please take a moment to complete our short evaluation. Your opinions are invaluable.

# WHAT'S ON YOUR PLATE?



## Compassion Fatigue and Vicarious Trauma – Signs and Symptoms

**Physical Signs and Symptoms**

- ❑ Exhaustion
- ❑ Insomnia
- ❑ Headaches
- ❑ Increased susceptibility to illness
- ❑ Somatization and hypochondria

**Behavioral Signs and Symptoms**

- ❑ Increased use of alcohol and drugs
- ❑ Absenteeism
- ❑ Anger and Irritability
- ❑ Avoidance of clients
- ❑ Impaired ability to make decisions
- ❑ Problems in personal relationships
- ❑ Attrition
- ❑ Compromised care for clients
- ❑ The Silencing Response
- ❑ Depleted parenting

**Psychological signs and symptoms**

- ❑ Emotional exhaustion
- ❑ Distancing
- ❑ Negative self image
- ❑ Depression
- ❑ Sadness, Loss of hope
- ❑ Anxiety
- ❑ Guilt
- ❑ Reduced ability to feel sympathy and empathy
- ❑ Cynicism
- ❑ Resentment
- ❑ Dread of working with certain clients
- ❑ Feeling professional helplessness
- ❑ Diminished sense of enjoyment/career
- ❑ Depersonalization/numbness
- ❑ Disruption of world view/ heightened anxiety or irrational fears
- ❑ Inability to tolerate strong feelings
- ❑ Problems with Intimacy
- ❑ Intrusive imagery – preoccupation with trauma
- ❑ Hypersensitivity to emotionally charged stimuli
- ❑ Insensitivity to emotional material
- ❑ Difficulty separating personal and professional lives
- ❑ Failure to nurture and develop non work related aspects of life

Sources: Saakvitne (1995), Figley (1995), Gentry, Baranowsky & Dunning (1997), Yassen (1995)

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# EVALUATING YOUR CONTRIBUTING FACTORS:

**Assess the following elements with this continuum in mind:**

## Annoying→Distressing⟶Traumatic

**Nature of the work, the cases and the workplace; in your role:**
--what events, incidents, cases, stories are the most difficult? Why?
-how much control do you have over your schedule?
-does this schedule work for you; can you adequately negotiate your workload?
-how has the workload changed over the years?
-do your work tasks vary from day to day; do you like the work you do;
-are you sufficiently trained to do the work you do?
-how much support do you have; is supervision adequate; helpful; supportive?

**Nature of the clientele; in your role:**
-how many clients do you have contact with each day?
-do you have variety with the types of clients you work with?
-what types of clients are the most difficult for you and why?
-how do your clients treat you?
-are you ever afraid of your clients? -ever been harmed by a client?
-how do you treat your clients?

**Nature of the worker; for you personally:**
-how well suited are you personally for the work you do?
-how well does the work you do match your values and beliefs?
-what does your current stress index look like on a scale of 1(no stress) to 10 (extreme stress)?
-can you identify the factors in your life that produce the most stress?
-what coping mechanisms do you use to manage or decrease stress?
-do you have supportive interpersonal relationships?
-do you engage in a hobby or leisure activity every week?

**Nature of the social/cultural context: in your role:**
-what are the social obstacles to doing your work? (funding cuts, furlough days etc)
-how are you received within the community based on the work that you do and the work of your organization; do you feel respected?
-what does the community say about the clientele you serve?
-what effect, if any, does the above have upon you personally?

Excerpted from *Transforming the Pain* (1996) pp 53-55 and *Compassion Fatigue Train the Trainer Workbook* (2008) pp 42-43.

**SELF CARE INVENTORY** (Reprinted with permission)
**Mark "X" for what you already do. Mark "O" for what you wish you did more often.**

***Physical Self-Care***

___ Eat Regularly (e.g. breakfast, lunch, and dinner)
___ Eat healthily
___ Exercise
___ Get regular medical care for prevention
___ Get medical care when needed
___ Take time off when sick
___ Get massages
___ Dance, swim, walk, run, play sports, sing, or do some other physical activity that is fun
___ Take time to be sexual – with yourself, with a partner
___ Get enough sleep
___ Wear clothes you like
___ Take vacations
___ Take day trips or mini-vacations
___ Make time away from telephones
___ Other:

***Psychological Self-Care***

___ Make time for self-reflection
___ Have your own personal psychotherapy
___ Write in a journal
___ Read literature that is unrelated to work
___ Do something at which you are not expert or in charge of
___ Decrease stress in your life
___ Notice your inner experience – listen to your thoughts, judgments, beliefs, attitudes and feelings
___ Let others know different aspects of you
___ Engage your intelligence in a new area (e.g. go to an art museum, history exhibit, sports event, auction, theater performance)
___ Practice receiving from others
___ Be curious
___ Say no to extra responsibilities sometimes
___ Other:

***Emotional Self-Care***

___ Spend time with others whose company you enjoy
___ Stay in contact with important people in your life
___ Give yourself affirmations, praise yourself
___ Love yourself
___ Reread favorite books, re-view favorite movies
___ Identify comforting activities, objects, people, relationships, places, and seek them out
___ Allow yourself to cry
___ Find things that make you laugh
___ Express your outrage in social action, letters, donations, marches, protests
___ Play with children
___ Other:

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| *Spiritual Self-Care* | *Workplace or Professional Self-Care* |
|---|---|
| ___ Make time for reflection<br>___ Spend time with nature<br>___ Find a spiritual connection or community<br>___ Be open to inspiration<br>___ Cherish your optimism and hope<br>___ Be aware of non-material aspects of life<br>___ Try at times not to be in charge or the expert<br>___ Be open to not knowing<br>___ Identify what you is meaningful to you and notice its place in your life<br>___ Meditate<br>___ Pray<br>___ Sing<br>___ Spend time with children<br>___ Have experiences of awe<br>___ Contribute to causes in which you believe<br>___ Read inspirational literature (e.g. talks, music)<br>___ Other: | ___ Take a break during the work day (e.g. lunch)<br>___ Take time to chat with co-workers<br>___ Make quiet time to complete tasks<br>___ Identify projects or tasks that are exciting and rewarding<br>___ Set limits with clients and colleagues<br>___ Balance your caseload so no one day or part of a day is "too much."<br>___ Arrange your work space so it is comfortable and comforting<br>___ Get regular supervision or consultation<br>___ Negotiate for your needs (benefits, pay raise)<br>___ Have a peer support group<br>___ Develop a non-trauma area of professional interest<br>___ Other:<br><br>**Balance:**<br>___ Strive for balance with your work life and work day<br>___ Strive for balance among work, family, relationships, play and rest |

Adapted from *Transforming the Pain: A Workbook on Vicarious Traumatization* by Karen W. Saakvitne & Laurie Anne Pearlman. Copyright (c) 1996 by the Traumatic Stress Institute/Center for Adult & Adolescent Psychotherapy. Used by permission of W.W. Norton & Company, Inc.

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